



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II  
290 BROADWAY  
NEW YORK, NEW YORK 10007-1866

May 29, 2015

Robert Law, Ph.D.  
demaximis, inc.  
186 Center Street, Suite 290  
Clinton, New Jersey 08809

Re: Diamond Alkali Site - Lower Passaic River Study Area  
Administrative Settlement Agreement and Order on Consent (AOC) for Remedial Investigation  
and Feasibility Study, U.S. EPA Region 2 CERCLA Docket No. 02-2007-2009

Dear Dr. Law:

This will respond to the notice of sample disposal pursuant to the above-referenced AOC, received by the U.S. Environmental Protection Agency (EPA) on May 5, 2015. The notice identifies sediment and tissue sample material collected by the settling parties under the AOC, also known as the Cooperating Parties Group (CPG), that the CPG proposes to discard.

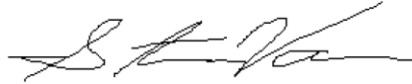
As described in the CPG notice, the sediment and tissue samples were collected between 2009 and 2012. The CPG states in the notice that each of the samples identified therein is beyond the "maximum holding time" as noted in the approved Quality Assurance Project Plans (QAPPs): Surface Sediment Chemical Analyses and Benthic Invertebrate Toxicity and Bioaccumulation Testing, October 2009, and Fish and Decapod Crustacean Tissue Collection for Chemical Analysis and Fish Community Survey, August 2009, and associated addendums.

As per EPA's letter to the CPG dated July 1, 2010, EPA has requested that the CPG retain samples until EPA has reviewed and accepted the validated results from the associated sampling events. EPA's review of the relevant data summary reports indicates that we can accept the validated analytical data. Therefore, EPA does not object to disposal of the sample material, consistent with the provisions of the QAPP and QAPP Addendums.

The CPG notice offers to transfer the sample material to persons responding to its notice under certain conditions, including that anyone accepting the sample material execute an Ownership and Custody Agreement. Please advise EPA if the CPG receives a request for the sample material. Consistent with EPA's oversight of the LPRSA RI/FS, EPA reserves the right to comment on and/or object to transfer of the sample material.

Please note that this letter is not intended to address any interests or concerns of other federal or state agencies. If you have any questions, please call me at 212-637-3914.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Vaughn', with a long horizontal flourish extending to the right.

Stephanie Vaughn, Project Manager  
Lower Passaic River Study Area 17-Mile RI/FS